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March 1, 2007

U.S. Patent and Trademark Office
Refund Branch

VIA FACSIMILE (571) 273-6500

Reference: Deposit Account #13-0014

Gentlemen:

Pursuant to our February 2007 statement of our Deposit Account, this is a written request for credit to our Deposit Account of \$500.00.

The charges in question were posted February 28, 2007 to Serial No. 10/748,449 (attorney docket number 1671-0281), of \$500.00 for Fee Code 1402, Filing a brief in support of an appeal. On February 23, 2007, we filed an Amended Brief on Appeal. We submitted the \$500.00 check 2507 for \$500.00 for the original Appeal Brief filed on August 21, 2006. Therefore, the amount deducted from our Deposit Account was an error and should be credited back to our Deposit Account.

Therefore, please credit our Deposit Account for \$500.00. If you have any questions, please do not hesitate to contact me. Thank you for your cooperation in the matter.

Very truly yours,

MAGINOT, MOORE & BECK, LLP

Lisa A. Masson
Lisa A. Masson
Office Administrator

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

J&J Reference No. **DEP5038USNP**

MMB Docket No. **1671-0281**

Application of: **Keeven et al.**

Group Art Unit: **3733**

Serial No. **10/748,449**

Examiner: **Annette R. Reimers**

Filed: **December 30, 2003**

For: **AUGMENTS FOR SURGICAL INSTRUMENTS**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 23, 2007
(Date of Deposit)

James D. Wood
Name of person mailing Document or Fee

/James D. Wood/
Signature of person mailing Document or Fee

February 23, 2007
Date of Signature

AMENDED APPEAL BRIEF

Sir:

This is an appeal under 37 CFR § 41.31 to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office from the final rejection of the claims 17-32 of the above-identified patent application. These claims were indicated as rejected in an Office Action dated March 20, 2006. The \$500.00 fee required under 37

CFR § 41.20(b) (2) was previously submitted. Also, please provide any extensions of

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adjustment date: 03/15/2007 SFELEKE1
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